

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

ROBERT TREPETA,  
*on behalf of himself and all  
other similarly situated individuals,*

Plaintiffs,

v.

Case No. 2:19-cv-00405-MSD-LRL

NATIONAL CONSUMER TELECOM  
AND UTILITIES EXCHANGE, INC.,  
and  
EQUIFAX INFORMATION SERVICES, LLC,

Defendants.

**MEMORANDUM IN SUPPORT OF PLAINTIFF'S  
CONSENT MOTION FOR ENLARGEMENT OF TIME  
TO RESPOND TO DEFENDANT EQUIFAX'S MOTION TO DISMISS**

Plaintiff Robert Trepeta, *et al.*, by Counsel and with the consent of Defendant Equifax Information Services, LLC, moves the Court to enlarge the deadlines for Plaintiff to respond to Defendant's Motion to Dismiss ECF 7. For the reasons that follow, the Court should grant the Motion.

**I. BACKGROUND AND REQUESTED RELIEF.**

Plaintiff filed this case on August 5, 2019, asserting violations of the Fair Credit Reporting Act ("FCRA") relating to Defendants' alleged failure to disclose information the possessed about him. (ECF 1.) Defendant NCTUE answered the Complaint (ECF 5), and Defendant Equifax moved to dismiss on September 5, 2019. (ECF7.) By Local Rule, Plaintiff's opposition brief to the Motion to Dismiss is due September 19, 2019. Plaintiff has requested, and Defendant Equifax does not oppose, a seven-day enlargement of that deadline, making it September 26, 2019.

Under Federal Rule of Civil Procedure 6(b)(1)(A), the Court may enlarge a not-yet-expired deadline by a party's motion and showing of good cause. FED. R. CIV. P. 6(b)(1)(A). Whether good cause exists to justify granting the enlargement is within the Court's discretion. *Hayward v. McCabe*, No. 1:11-cv-00644-RBH, 2012 WL 1096101, at \*2 (D.S.C. Mar. 30, 2012). Here, good cause exists because the Motion raises a complex issue, which requires Plaintiff to research and make a strategic decision regarding his response.

The requested enlargement will have no impact on any other deadlines in this case as the Court has not entered a Scheduling Order. No Party will be prejudiced, as confirmed Equifax's consent. This enlargement is not sought for reasons of delay or other improper purpose, but so that Plaintiff may devote appropriate resources to his response.

There is therefore good cause for granting requested enlargement, and Plaintiff requests that the Court enlarge the deadline to respond to Defendant's Motion as set forth above.

## II. CONCLUSION.

Good cause exists for the requested enlargement. No Party will be prejudiced, and no other deadlines impacted. The Court should therefore grant Plaintiff's Motion.

Dated: September 19, 2019.

Respectfully submitted,  
**PLAINTIFFS, et al.,**

/s/  
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*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of September, 2019, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record.

\_\_\_\_\_/s/\_\_\_\_\_  
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